

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEDRA DE LA ROSA,

Plaintiff,

ORDER

-against-

22-cv-8989 (JPO) (JW)

GUNTHER BLDG 1873 CORPORATION, *et al.*,

Defendant.

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JENNIFER E. WILLIS, United States Magistrate Judge:

The Court is in receipt of Defendants' July 20, 2023 letter requesting (i) an order prohibiting Plaintiff from inspecting the exterior of the subject premises, (ii) a conference to discuss alternative dates for inspection, and (iii) HIPAA information from Plaintiff. Dkt. No. 28.

The request for an order prohibiting Plaintiff from inspecting the exterior of the subject premises is DENIED. Federal Rule of Civil Procedure 34(b)(1)(B) requires that a party requesting to inspect a premise specify "a reasonable time" for such inspection. Fed. R. Civ. P. 34(b)(1)(B). Defendants object to inspection today on the grounds that they are unavailable to monitor the exterior inspection of the premises and notified Plaintiff of their unavailability. Dkt. No. 28. Defendants do not substantively oppose inspection and offer no evidence that it is unreasonable to request to inspect the exterior of the premises in the absence of the owners. The Court believes the public nature of the exterior of the building supports the

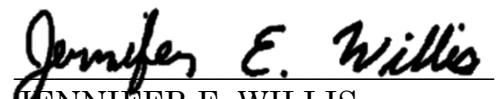
reasonableness of inspection. Therefore, Plaintiff is permitted to inspect the exterior of the premises today.

The request for conference is DENIED. The Parties are directed to meet and confer and find mutually agreeable dates for internal inspection of the subject premises.

On the HIPPA request, per this Court's Individual Rules and Practices, Plaintiff has until July 25, 2023 to provide a letter response to Defendants' request.

SO ORDERED.

DATED: New York, New York
July 21, 2023


JENNIFER E. WILLIS
United States Magistrate Judge